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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,908	09/17/2003	Juha T. Harju	59643-00301	2638

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EXAMINER	
WENDELL, ANDREW	

ART UNIT	PAPER NUMBER
2618	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/663,908	HARJU ET AL.	
	Examiner	Art Unit	
	Andrew Wendell	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *17 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US Pat Appl# 2002/0098839) in view of Dean (US Pat# 6,201,802).

Regarding claim 1, Ogino et al. method for measurement transmitting time offset of base station teaches receiving signals GPS Signal (Fig. 4) from a location system external to a network (Satellite) for determining a location of a network survey device; locating the network survey device at a first location and, with the network survey device at the first location 431 (Fig. 4, Section 0042 "observation points"), receiving signals from a first base station 41 and P1 (Fig. 4) of the network at the first location 431 (Fig. 4) by means of the network survey device 430 (Fig. 4), thereby measuring synchronization (time offset) of said first base station relative to a reference time-frame determined from the location system (Sections 0039-0045 and 0008-0009); and the network survey device at a second location 432 (Fig. 4) and, with the network survey device at the second location, receiving signals from the first base station P2 (Fig. 4) at the second location by the means of a network survey device, thereby measuring synchronization of said first base station relative to the reference time-frame (Sections

0039-0045 and 0008-0009). Ogino et al. fails to teach moving the network survey device and receiving signal for determining its location.

Dean's method for analyzing base station timing teaches moving the network survey device (Col. 6 lines 27-36) and receiving signals for determining its location (Col. 7 lines 22-29).

Therefore, it would have been obvious at the time of the invention to one of ordinary skill in the art at the time the invention was made to incorporate moving the network survey device as taught by Dean into Ogino et al. method for measurement transmitting time offset of base station in order to have a comprehensive and precise method of measuring base station timing (Col. 4 lines 51-57).

Regarding claim 2, the combination including Ogino et al. teaches comparing results of measurements at the first and second locations with pre-determined network management criteria (Sections 0008 and 0009).

Regarding claim 3, the combination including Dean teaches modifying a configuration of the network based upon the results of the comparison (Col. 10 lines 30-37).

Regarding claim 4, the combination including Dean teaches receiving the signals from the location system, which comprises a satellite location system and the signals from satellites of the system are received for determining the location of the network survey device (Col. 7 lines 22-29).

Regarding claim 5, the combination including Dean teaches receiving the signals from the location system, which comprises the Global Positioning System (Col. 7 lines 22-29).

Regarding claim 6, the combination including Dean teaches recording visibility of the satellites and quality of the signals of the satellites by means of the network survey device (Col. 7 lines 22-29).

Regarding claim 7, the combination including Dean teaches measuring a quality and a signal level of the signal received from the first base station (Col. 9 lines 44-61).

Regarding claim 8, the combination including Dean teaches receiving signals from a second base station of the network by means of the network survey device in the first and second locations, and synchronizing (timing) the second base station relative to the reference time-frame (Fig. 6).

Regarding claim 9, Ogino et al. teaches a first receiving means 431 (Fig. 4) for receiving signals from base stations 41 (Fig. 4, even though it shows one base station, figure 1 shows multiple base stations 131-133); second receiving means 432 (Fig. 4) for receiving a reference time-frame signal GPS Signal (Fig. 4 and Section 0039); and first measuring means 430 (Fig. 4) for measuring synchronization (time offset) of base stations relative to a reference time-frame (Sections 0039-0045 and 0008-0009). Ogino et al. fails to teach clearly receiving signals from base stations.

Dean teaches a first receiving means 100 (Fig. 4) for receiving signals from base stations 8 and 10 (Fig. 4).

Regarding claim 10, the combination including Dean teaches a second measuring means for measuring the synchronization (timing) of at least one base station relative to another base station (Fig. 6).

Regarding claim 11, claim 11 is rejected for the same reason as claim 9 since the recited elements would perform the claimed steps.

Regarding claim 12, Ogino et al. teaches receiving signals from a location system GPS Signal (Fig. 4) external to a network for determining a location of a network survey device; locating the network survey device at a first location and, with the network survey device at the first location 431 (Fig. 4, Section 0042 "observation points"), receiving signals from at least one of a plurality of base stations 131-133 (Fig. 1) at the first location 431 (Fig. 4) by means of the network survey device 430 (Fig. 4), thereby measuring synchronization (Time offset) of said at least one base station of said plurality of base stations relative to a reference time-frame GPS signal (Fig. 4)

determined from the location system (Sections 0039-0045 and 0008-0009); and the network survey device at a second location 432 (Fig. 4) and, with the network survey device at the second location, receiving signals from said at least one base station 41 (Fig. 4) of said plurality of base stations at the second location by the means of a network survey device, thereby measuring synchronization (time offset) of said at least one base station of said plurality of base stations relative to the reference time-frame (Sections 0039-0045 and 0008-0009). Ogino et al. fails to teach moving the network survey device, receiving signal for determining its location, and receiving signals from a plurality of base stations.

Dean's method for analyzing base station timing teaches moving the network survey device (Col. 6 lines 27-36), receiving signals for determining its location (Col. 7 lines 22-29), and receiving signals from a plurality of base stations 8 and 10 (Fig. 4).

Regarding claim 13, the combination including Ogino et al. teaches comparing results of measurements at the first and second locations with pre-determined network management criteria (Sections 0008 and 0009).

Regarding claim 14, the combination including Dean teaches modifying a configuration of the network based upon the results of the comparison (Col. 10 lines 30-37).

Regarding claim 15, the combination including Dean teaches wherein the step of locating the network survey device at the first location comprises receiving the signals from said plurality of base stations, and the step of moving the network survey device

to the second location comprises receiving the signals from said plurality of base stations (Col. 9 line 18-Col. 10 line 29).

Regarding claim 16, the combination including Dean teaches wherein the step of moving the network device to the second location comprises receiving the signals from a first base station and from at least one neighboring base station of the network (Col. 9 line 18-Col. 10 line 29).

Regarding clam 17, the combination including Dean teaches wherein the step of moving the network device to the second location comprises receiving the signals from a first base station of the network and at least one base station associated with another telecommunications network (Col. 9 line 18-Col. 10 line 29).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Wendell
Examiner
Art Unit 2618

7/6/2006

NAY MAUNG
SUPERVISORY PATENT EXAMINER